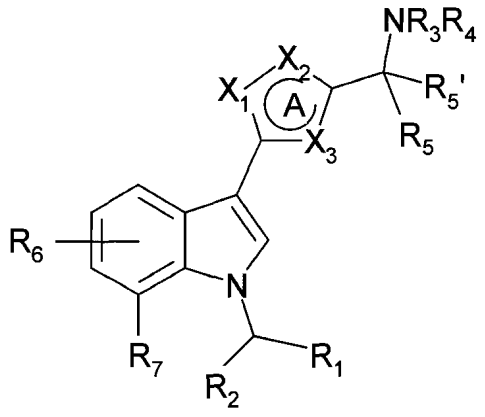
Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Previously Presented) An (indol-3-yl)-heterocycle having the general Formula I



Formula I

wherein

A represents a 5-membered aromatic heterocyclic ring, wherein X_1, X_2 and X_3 are independently selected from N, O, S and CR;

R is H or (C_{1-4})alkyl;

R_1 is cyclohexyl or tetrahydropyranyl;

R_2 is H, CH_3 or CH_2-CH_3;

R_3 and R_4 are independently H or (C_{1-6})alkyl the alkyl groups being optionally substituted with OH, (C_{1-4})alkyloxy, (C_{1-4})alkylthio, (C_{1-4})alkylsulfonyl, CN or halogen; or

R_3 together with R_4 and the N to which they are bonded form piperidine, pyrrolidine, morpholine or thiomorpholine, optionally substituted with OH, (C_{1-4})alkyl, (C_{1-4})alkyloxy, (C_{1-4})alkyloxy-(C_{1-4})alkyl, or halogen; or

R_3 together with R_5 forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C_{1-4})alkyl, (C_{1-4})alkyloxy, (C_{1-4})alkyloxy- (C_{1-4})alkyl, or halogen; or

R_5 is H or (C_{1-4})alkyl; or

R_5 together with R_3 forms a 4-8 membered ring optionally containing a further heteroatom selected from O and S, and which is optionally substituted with OH, (C_{1-4})alkyl, (C_{1-4})alkyloxy, (C_{1-4})alkyloxy- (C_{1-4})alkyl, or halogen;

R_5' is H or (C_{1-4})alkyl;

R_6 represents 1-3 substituents independently selected from H, (C_{1-4})alkyl, (C_{1-4})alkyloxy, CN and halogen;

R_7 is H, (C_{1-4})alkyl, (C_{1-4})alkyloxy, CN or halogen; or

or a pharmaceutically acceptable salt thereof.

2. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1, wherein R_2 is H.

3. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1, wherein R, R_5, R_5' and R_6 are H.

4. (Cancelled)

5. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1 where the heterocycle A is 1,2,4-oxadiazole (X_1 is N, X_2 is O, X_3 is N), 1,2,4-thiadiazole (X_1 is N, X_2 is S, X_3 is N) or thiazole (X_1 is S, X_2 is CR, X_3 is N).

6. (Previously Presented) The (indol-3-yl)-heterocycle of claim 1 which is selected from:

- 7-Chloro-3-(5-{[N-ethyl-N-(2-methoxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-{5-[(pyrrolidin-1-yl)methyl]-[1,2,4]-thiadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(5-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,2,4]-thiadiazol-3-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;

- 7-Chloro-3-(4-{[N-ethyl-N-(2-hydroxyethyl)amino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole;
- 7-Chloro-3-(4-{[N-(2-methoxyethyl)-N-methylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole; and
- 7-Chloro-3-{5-[(2,2-dimethyl-pyrolidin-1-yl)methyl]-[1,2,4]oxadiazol-3-yl}-1-(tetrahydropyran-4-yl)methyl-1H-indole;

or a pharmaceutically acceptable salt thereof.

7. (Cancelled)

8. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 1 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

9. (Cancelled)

10. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 1.

11. (Cancelled)

12. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 5 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

13. (Previously Presented) A pharmaceutical composition comprising an (indol-3-yl)-heterocycle of claim 6 or a pharmaceutically acceptable salt thereof in admixture with pharmaceutically acceptable auxiliaries.

14. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 5.

15. (Currently Amended) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 6.

16. (Previously Presented) The compound of claim 6, wherein the compound is
- 7-Chloro-3-(4-{[N-(2-hydroxyethyl)-N-isopropylamino]methyl}-[1,3]-thiazol-2-yl)-1-(tetrahydropyran-4-yl)methyl-1H-indole or a pharmaceutically acceptable salt thereof.

17. (Previously Presented) A pharmaceutical composition comprising the compound or a pharmaceutically acceptable salt thereof of claim 16 in admixture with pharmaceutically acceptable auxiliaries.

18. (New) A method of treatment of pain selected from the group consisting of peri-operative pain, chronic pain, neuropathic pain, cancer pain and pain and spasticity associated with multiple sclerosis, the method comprising: administering to a patient in need thereof a therapeutically effective amount of an (indol-3-yl)-heterocycle derivative of claim 16.